

Corcoran State Prison  
P.O. Box 3476  
Corcoran, CA 93212

**FILED**

MAR 20 2008

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Monte L. Hane Y  
Petitioner,  
VS.  
Derral G. Adams, Warden,  
Respondent.

07-4682 CRB (PR)  
Motion in OPPOSITION OF  
Respondent's Motion to  
enlarge time to file a  
Response to Petitioner's  
Writ of Habeas Corpus

Petitioner Monte L. Hane Y is hereby filing a Motion in  
opposition of Respondent's Motion to enlarge time to  
Respond to Petition for writ of Habeas Corpus.

On September 4<sup>th</sup> 2007 Petitioner filed a writ of habeas Corpus  
in the United States District Court for the Northern Dis-  
trict of California.

On January 11 2008 the honorable Judge Charles R. Breyer  
issued an order to show cause to the Respondents and  
instructed them to file a Response to the Petition within  
60 days with a court deadline of March 11 2008.

On 3-13-08, the Petitioner Received from Deputy Attorney General  
for respondents, Michele J. Swanson a Motion to enlarge  
time to file a Response to the Petition For writ of habeas  
Corpus dated 3-11-08.

the Deputy Attorney General's excuse for an extension to  
enlarge time is that in the Past 30 days she filed two mo-  
tions to dismiss, two Reply Briefs, recently completed an ans-  
wer and is currently working on one appellate Brief. the  
Attorney General's excuse for an enlargement of time is  
not viable. Because she admitted in her own words

1 that She has completed all Aforementioned Legal documents  
2 except one appellee's brief for the ninth circuit. the  
3 Deputy Attorney General has computers, clerks, and numerous  
4 Legal Assistants to Assist with Legal documents to ensure  
5 that they are filed on time. the Deputy Attorney General  
6 Received 60 days to file a Response in this Matter which  
7 is More than enough time to complete a Response to the Petition  
8 for writ of habeas corpus. it is visible, obvious and apparent  
9 that the Deputy Attorney General have intentionally chos-  
10 en to Delay this matter only to circumvent Responsibility-  
11 ies.

12  
13 for the reasons stated herein But not limited to, Petitioner  
14 Request that the Deputy Attorney General's motion to enlarge  
15 time be denied.

16  
17  
18  
19  
20  
21  
22 Date: 3-16-08

Mario Hanez  
in Pro Per

- 1) I am the Petitioner and a Party to this action.
- 2) on 9-4-07 Petitioner filed a writ of Habeas Corpus Pursuant to 28 U.S.C. 2254.
- 3) on 1-11-08 The honorable Judge Charles R. Breter of the northern district court for the State of California issued an order to show cause to the Respondent to file a response in this matter within 60 days and a court deadline of 3-11-08.
- 4) The Deputy Attorney General for Respondent Michele J. Swanson, filed a Motion to enlarge time in this matter which Petitioner received from U.S. mail on 3-13-08.
- 5) on March 16<sup>th</sup> 2008 Petitioner filed a Motion in opposition of respondent's motion to enlarge time and delivered it to Prison officials to be mailed to the U.S. District Court of the northern district of California.
- 6) Simotaneously, Petitioner sent a COPY to the Deputy Attorney General of California Michele J. Swanson and kept a COPY for himself.

I Declare under the Penalty of Perjury that the foregoing is true and correct.

Date: 3-16-08

Monte Almey  
in Pro Per.

- I, Monte HaneY, declare that I am over 18 Years of age, and a Party to the attached herein cause of action, that I reside at CSP-Corcoran in the County of King, California. my mailing address is P.O. Box 3476, Corcoran, CA 93212.  
On March 16, 2008 I delivered to Prison officials for mailing, at the above address, the attached, Motion in opposition to Respondent's Motion to enlarge time and a Declaration,

in a Sealed envelope with postage fully Prepaid, addressed to:  
clerk of the Court Richard W. Weiking  
clerk's office, U.S. District Court  
Northern District of California  
450 Golden Gate Avenue, 16th floor.  
San Francisco, CA 94102

I declare under Penalty of Perjury that the foregoing is true and correct.

executed this March 16<sup>th</sup> 2008 at CSP-Corcoran California.

Monte HaneY  
in Pro Per